

## COMMITTEE ON LANDS AND BUILDINGS

**August 22, 2006**  
**Aldermen Thibault,**  
**Smith, Forest, Roy, Long**

**5:00 PM**  
**Aldermanic Chambers**  
**City Hall (3<sup>rd</sup> Floor)**

Chairman Thibault called the meeting to order.

The Clerk called the roll.

Present: Aldermen Thibault, Smith, Roy and Long.

Absent: Alderman Forest

3. Communication from Mayor Guinta requesting staff prepare recommendations relating to placing out to competitive/sealed bid parcels located on Granite Street, Phillippe Cote Way and the Seal Tanning parking lot as requested by David Brady of Brady-Sullivan.  
*(Note: previous reports enclosed for informational purposes.)*

Alderman Long moved to table pending staff recommendations. Alderman Roy duly seconded the motion. There being none opposed the motion carried.

4. Preliminary discussion requested by Alderman Duval of proposed beautification efforts to the former site of the Weston Street Fire Station on behalf of nearby residents.

Alderman Duval stated with your permission I'd like to make a brief presentation with Mr. MacKenzie and a couple of the residents.

Chairman Thibault requested Alderman Duval do so.

Alderman Duval stated we are all well aware of the history of the Weston Street Fire House and the 24 years of neglect that a lot of the neighbors witnessed in the area and we are all very familiar with the fact that it was demolished a number of weeks back. Already in the area where the fire house was we have grass coming in and a number of the neighbors are pleased with the area and perceive it to be an

improvement. Along the way I was in touch with Jeanine Tousignant, to my right here, she and her husband Chris live nearby. Chris has a background in architecture and Jeanine is heavily involved with the community as a director of the Manchester Community Music School. Jeanine approached me and asked if we could have a preliminary discussion relative to beautification of the area of the site of the former Weston Street Fire House and we chatted briefly and Jeannine immediately organized a group of nearby residents to talk about the future beautification of this area in question. This area as you know is very unique, very special particularly to the neighbors in the area. It represents a passive play area for children, it represents an additional play area for McDonough Elementary School Students and while not suitable for a full size soccer field or baseball field or a football field it certainly is well utilized by Manchester's younger kids who use it for recreational purposes for passive play and for instruction sporting activities. The neighbors after meeting with me are very excited about the opportunity to present to this committee to the full Board next month and indeed to all Manchester residents an opportunity to perhaps dedicate this area as a memorial to Manchester fire fighters, and that's what we are presenting to you this evening. The group is very much set in favor of maintaining the passive play area that existed in back of the building but they would like to take the land that is currently highlighted in the purple and dedicate it as a memorial to Manchester fire fighters. We brought the idea to Ron Ludwig, Superintendent of Parks, we met with him and Chuck DePrima, Tom Matson, Bob MacKenzie was at the meeting as well and early indications are that there would be support for such a proposal. The neighbors really want an opportunity to contribute personal time, efforts and energy into doing this in the way of a public/private partnership. They are not coming to the City to ask them for significant amounts of money. Although down the road that the City could perhaps entertain proposals like that matching funds and so forth but they really want to undertake this as a neighborhood resident to resident cause. We've spoke with Bill Clayton, President of the Manchester Fire Fighters Assn., he is terribly enthused by the proposal and he looks forward to working with the group to further promote this initiative. It's very, very exciting I know being at a full Board meeting a couple of weeks ago having heard a number of residents come to the Board to thank Alderman Mark Roy for his efforts up at the Stark Park, it's not often in my short seven months here on the Board I have had occasion to work with such a exception group of ward residents who are really willing to donate time, resources and energy to promoting such a worthy cause, so I'm excited about it and now understand why Mark was so excited about residents to praise the community for efforts to restore Stark Park. We have a similar opportunity here and I think rededicating it to the lives and struggles of City fire fighters I think is outstanding and should be realized by this committee and I would ask the committee to approve at least the basic concept so we can move forward to make this become a reality. I have Jeanine Tousignant here to my right, another neighbor Bob is with

me as well, I'd like to ask Jeanine to make a couple of brief comments, and then Bob MacKenzie is going to come up as well to show you an idea, which is conceptually, again its very preliminary so bear with me but there is a memorial that was just being completed in Concord in honor of New Hampshire fire fighters and I don't know if we can get as grandiose as that but it's just conceptually a good idea to set our eyes on.

Jeanine Tousignant addressed the Committee stating as Jerome Duval mentioned I live at 471 Lowell Street in Manchester. My husband is Christopher Drovat he is an associate with Lavallee Brensinger Architects. We lived in the neighborhood for 7 years and have really grown to love our house, love where we live and over the seven years really have just gotten to know our neighbors over the past six months when everything started to happen with the Weston Street Fire Station. And we thought you know this is kind of crazy that we are all getting to know each other just now, but how interesting that this thing that is happening with the fire station even in its taking down is bringing the neighbors together as we understood this aspect of land and building have brought the neighborhood together for years. So we decided we really would like to do something to honor what has happened there in the past to not loose that sense of neighborhood association and to bring this group of folks together. We just started putting this together about a month ago so I'm pretty happy with the progress we've made and in a month. We have 12 very interested folks from the neighborhood and we have a list here who would like to become part of this neighborhood association to help with this park. We have four initial points of intention that we've put forward, and Jerome touched on them. Really we would like to protect the land where the fire station once stood so that it can remain a community asset and we'd like to have it named as a park. The fire fighters memorial park is what we would like to do. The second thing we'd like to do is to raise funds privately, but also partner with the city as well in a public/private partnership to erect a memorial to the Manchester fire fighters in the new park which is approximately where the Weston Street Fire Station once stood. We want this to be able to honor the fire station, what it meant to neighborhood in the past, and to honor all Manchester fire fighters that have served the city for years past, and in the future. The third thing that we want to do is we want to be stewards of this park for the future, with beautification projects, neighborhood watches of the neighborhood, neighborhood BBQ's , and possibly get the school involved with McDonough School right across the street there, so we would like hold of this and make it the best it could possibly be for the neighborhood. The fourth that we think will just happen as a result of all these previous action steps is that the park will just become a means to bring the whole community together around a common purpose, and that is the point of this whole endeavor, and we are so pleased that Alderman Duval has been behind us we were so heartened by our meeting with Ron Ludwig and Bob MacKenzie and Bill Clayton and Chuck DePrima it's really nice to see that a

group of citizens who are concerned about a parcel of land and are concerned about their community can come to the City and get really fast response and really positive response so we hope that you will continue that tradition tonight and thank you for hearing us.

Chairman Thibault stated as chair of the Committee as long as we are invited to the BBQ's I think it's going to be fine.

Bob Hanscom of 607 Concord Street stated I've lived in Manchester all my life my house is one of the houses that's visible. I kind of stood back I've been in the neighborhood for two years and I watched the people come and I talked to the protesters and watched the building come down and it really wasn't until after the fact that I started to get a sense of what was going on. And I talked to some of the neighbors who had stories about how the firemen used to have skating parties, how the firemen used to serve the kids hot chocolate, how the firemen used to have soda and candy for the kids, and it just seemed to me that this was at one point in time the center part of a lot of the community and I think it's a great opportunity. I didn't know very few of my neighbors, I knew the people that went to Smith Road School with around town, etc. and it's just really brought a tremendous number of people together. I've spent the last three days of my vacation talking to the neighbors talking to people two three and four streets over soliciting their input and there is a tremendous amount of support and enthusiasm in the whole neighborhood so thank you for listening to us.

Alderman Duval stated just for clarification Bob, he had raised the question of the corner piece of land and I was speaking to you about whose auspices the land was now under whose purview and could you respond to the Committee on that technical question.

Mr. MacKenzie stated this particular parcel, which is about a third of an acre, is under the jurisdiction of the Fire Department currently, so ultimately if the Committee and the Board concurred with this proposal they would take an action to transfer responsibility from Fire Department to Parks, Recreation and Cemetery and basically take a second action to designate this as a park.

Chairman Thibault asked Alderman Duval if he wished the Committee to take this to the full Board to see what their view is.

Alderman Duval stated we'd welcome the opportunity for the Board to vote on this tonight to take the necessary action that Mr. MacKenzie just outlined and then forward that on to the full Board for further presentation, and report to the Board next month for hopeful passage.

Alderman Roy asked if there was a name of an organization besides the Committee.

Alderman Duval asked if there was a name yet other than the group that supports Fire Fighters Memorial Park.

There was none, however, Ms. Tousignant stated really what we would like to be in addition to being a park steward is a neighborhood association. So it could be Weston Fire Fighters Park Neighborhood Association or something like that, not just the park but also have this become a bigger community builder in the neighborhood.

Alderman Roy stated with that being said I like to make a motion to what Mr. MacKenzie outlined to transfer the piece of property from the control of the Fire Department to Parks and Recreation and add it to the purview of Parks and Recreation our full support of a committee to be named later. Alderman Smith seconded the motion.

Alderman Long stated the third acre, the Fire Department is not using it right now, or is what Alderman Roy is moving is the correct action.

Mr. MacKenzie replied that normally the Assessors would not change the records until action is taken by the Board to do so.

Alderman Long asked if they had talked to Chief Kane with respect to this property.

Alderman Duval replied I had a telephone discussion with Chief Kane last week, in fact Chief Kane was the one that put me in touch with the State Fire Fighters Association to use the memorial in Concord as a reference or model for us, Chief Kane was very supportive and enthusiastic about it and he pledged to support us in whatever way he can and would work with fire fighter Clayton to make sure we get the full support from the Association for fire fighters.

Alderman Long stated Alderman Duval you are quite blessed to have constituents step up to the plate like this.

Alderman Duval stated great people to work with and really what ended up as a relatively controversial issue in tearing down the firehouse there was a lot of emotional connection to it has turned out to be a very positive thing and we are pleased to be moving forward with a positive endeavor.

Chairman Thibault advised there was a motion on the floor that we accept it and move it to the full Board and called for a vote. The motion carried with none in opposition.

5. Communication from Tom Remillard, Principal of Building Networks LLC, regarding potential clients submitting proposals for cell phone antenna at 223 James Pollock Drive (school property) and Derryfield Park.

Deputy City Clerk Johnson noted that it appeared they wanted to make a presentation and thought the committee may want to have Parks weigh in on it first.

Alderman Roy asked if we could get written statements from Parks and Recreation and the School District.

On motion of Alderman Smith, duly seconded by Alderman Roy, it was voted to table this item pending information from School and Parks & Recreation.

### **TABLED ITEMS**

6. Communication from Gerald Hebert, Sr., requesting to purchase Lots 246-3, 6 & 7 on Page Street between London and Bridge Streets.  
*(Note: tabled 07/19/2005. Communications from the Board of Assessors and Planning enclosed.)*

On motion of Alderman Smith, duly seconded by Alderman Long, it was voted to remove this item from the table.

On motion of Alderman Smith, duly seconded by Alderman Long, it was voted to receive and file this item.

7. Communication from City Solicitor Clark enclosing a communication from the State of NH Department of Transportation requesting to purchase City land for the proposed Manchester Airport Access Road.

*Notes from Clerk regarding previous actions on item:*

*11/21/2005 - referred to Airport requesting report back and requested Planning and Tax to determine whether or not property is surplus to City needs.*

*02/21/2006 - tabled.*

*03/13/2006 - Planning recommended it be determined surplus to City needs due to the unique circumstances involved noting the Committee may find suitable public purpose for selling the property to the state.*

*07/14/06 – Airport Director requesting consent and approval, as Airport Director, to sell certain parcels of land to the NHDOT in order to comply with FAA Rules and Regulations.*

*08/14/2006 – Assessors advises NHDOT will be performing the appraisals. Upon completion, the Assessors will review appraisals in accordance with the Surplus City Property Policy.*

*08/16/2006 - Planning recommends that all parcels owned by the City and associated with this request be declared surplus to City needs and appropriate to sell to the NHDOT.*

On motion of Alderman Roy, duly seconded by Alderman Long, it was voted to remove this item from the table.

Kevin Dillon, Airport Director, stated to bring you up to speed with where we are at with some of these transfers. As you know there are 16 parcels that the DOT is looking for us to transfer in regard to the Airport Access Road project. These are parcels that are associated with mitigation, there will be other parcels as they start to get further into the project that they will actually require that are on the Airport itself but those aren't included in the list of 16 parcels that's moving forward. The 16 parcels include approximately 55 acres. We've received offers from the DOT totaling about 1.43 million dollars for those 55 acres. In the sixteen parcels there are two parcels that are under city control, while it's all city property, 14 of the parcels are under Airport control, and then follow FAA rules for release of the properties, so we are spending a lot of time with FAA going over these issues and trying to get their concurrence. The two city parcels are lot 713-1, it's referred to as the DOT parcel 815, that's approximately .69 acres. It's been offered by the State to acquire it for \$27,000. The other city parcel is 866/36 also known as DOT parcel 5016, that was for 4.38 acres and they've offered 2.4 million. We have taken their appraisals and put them out to Joe Freemeau who reviews all of the appraisals for the airport, he has concurred with all of the values that have been

put forward, we are still though missing 3 appraisals on 3 of the lots so what I would recommend tonight is if the committee would like to move forward with approving the transfer of the 2 city parcels and to see if the committee was willing to go forward with an approval to allow the airport to transfer the remaining parcels subject to agreement by the Assessors office with the appraisals that we will receive.

Alderman Roy asked for the tax map numbers again.

Mr. Dillon provided the numbers again.

Alderman Long asked for the price of the smaller lot.

Mr. Dillon stated DOT parcel 815, .69 acres was \$27,000.

Alderman smith asked if the Town of Londonderry was holding them up on those parcels.

Mr. Dillon replied the Town of Londonderry had not expressed any concerns with these transfers.

Adlerman Roy asked for the prices on the city properties again.

Mr. Dillon stated for DOT Lot 815, Tax Map 713, Lot 1, that was \$27,000. And for DOT parcel 5016, which is Tax Map 866/36 it was \$2,400.

Alderman Roy asked if we knew what was paid, if I remember that was a property that was in the flight path that was purchased out where did those funds come from.

Mr. Dillon stated both of these lots according to the record have been on the city tax roles for a while one of them goes back to the 1940's it was seized for nonpayment of taxes. Both properties are undevelopable one has very steep slopes and about 100% wetlands, the other property is too narrow, while it has river frontage it's too narrow for development.

Deputy City Clerk noted that they did need to hear from Mr. Cornell, but pointed out that we need to have individual reports on each of these parcels and they need to be described as city lots, and the appraisal process can be done on the outside thorough the means of the airport but even the airport properties have to come into agreement with what the Board of Assessors reports. I believe the Board of Assessors is willing to give you a report for the parcels they've looked at apparently there are two that you don't have appraisals to look at a t this point We



are going to need reports to match all of that before any action can be taken. If they are tax deeded parcels we need the reports from the Tax Collector and we will need a report from the Assessor's on each of the individual parcels.

Chairman Thibault noted that they could not act on this tonight then.

Deputy City Clerk Johnson stated they could send it on to the Board as determining surplus property and sold at a price to be determined and that presentation could be made at a board meeting, but you couldn't take full action until we have all of those reports. In the case of the tax deeded parcels we actually will have to pass an ordinance to sell that to the State DOT that is the process by law. So, I just wanted to throw that out there so everybody doesn't say okay let's let the airport take care of it because it can't quite work that way.

Chairman Thibault requested Mr. Cornell to come forward.

Mr. Cornell stated we did receive copies of the appraisals this morning we've reviewed those and we certainly can get the committee a report on those.

Chairman Thibault asked the Clerk for direction on a course of action.

Deputy City Clerk Johnson asked the Airport Director how urgent it was asking if action was needed at the September meeting of the Board, or can it stay in the Committee until we get the fine tuning of the reports.

Mr. Dillon stated if there was going to be a committee meeting next month we could probably wait, also noting that the State is anxious to acquire these for mitigation purposes but a number of these parcels are going to require we record easements on them and before we hand them over to the state that needs to be done so there is a little bit of time.

Deputy City Clerk Johnson advised that the Board was meeting only once a month so the next board meeting to adopt the final recommendations would be the first meeting in October. The Clerk's office could work with the other departments to see if things could be in place for the first meeting in September.

On motion of Alderman Long, duly seconded by Alderman Roy, it was voted to place this item on the table pending further reports.

8. Communication from Paul J. Borek, Economic Development Director, regarding the Ash Street School property on Bridge Street.  
*(Note: tabled 11/21/2005 pending report of School Board action. Enclosed is a copy of a resolution adopted by the School Board on 12/12/2005. Report dated 02/15/2006 submitted by the Director of Planning enclosed herein).*

On motion of Alderman Long, duly seconded by Alderman Roy, it was voted to remove this item from the table.

Mr. Borek stated it's a pleasure to request to you today that the Ash Street School be declared surplus property and that staff be directed to negotiate a marketing and sale agreement with Amoskeag Industries for the sale of the property. As you know the School District vacated the property last fall. You have in your packet a letter from Planning and Community Development Director Bob MacKenzie recommending that the property is surplus to city needs. Just by way of background the City was granted fee simple interest in the property in 1868 I believe and the recorded deed provided that the Amoskeag Manufacturing Company and its successors can regain title and possession of the property if the property is occupied as other than a schoolhouse. Amoskeag Industries, the legitimate successor to the Amoskeag Manufacturing Company has indicated that it would, they've offered to refrain from exercising their rights to enter and repossess the property subject to a marketing and sale agreement. That would call for the sale of the property and the payment of a portion of the proceeds to the City. This with our recommendation this agreement can be negotiated and presented to you in the very near future, I would say within two weeks. I would also like to add that and I'll let Bob MacKenzie say more from his standpoint, but it is the understanding of Amoskeag Industries and the recommendation of the Planning Director that this property be preserved and that any condition of sale would require that the building be preserved and rehabilitated.

Alderman Thibault stated good point. I just wanted the Committee to be aware of what you and I talked about today that the contrary to what we read in the paper this building is going to be sold with the idea that it be preserved as it is or basically as it is.

Mr. Borek replied that's correct.

Alderman Smith stated I just wanted to make sure since this is an historic building I believe the school is 132 years old, I wanted to make sure that if we are putting it out to sale, to preserve it to make sure to keep in the contract whoever buys it now I understand there might be a zoning issue or so forth there is other matters that is

involved with this but I want to assure that nothing happens this is an historic place I want to make sure that this goes whoever is going to buy it whether it is marketed through economic development office or MDC that they put teeth in the contract in saying that it will be restored as much as possible in original condition.

Mr. Borek stated we will do so certainly, and again it's our understanding I think on both sides in our discussion process that that's our mutual intent.

Alderman Roy stated just a comment for Paul, or actually report, when this comes back to us to look at what that agreement with Amoskeag is, is it possible to have, I know Tim Clougherty was here a while ago, a report on all costs to the City from the time that this was turned over from the School Board until now, heating, roofing maintenance whether it was solely Tim's division or every division that spent money throughout the City.

Mr. Borek stated that we will make sure that that is available, I believe Tim is preparing that right now.

Alderman Long stated also if we could get the status of the building, as far as the maintenance on it, an updated condition report.

Mr. Borek stated we certainly will.

Mr. MacKenzie stated just to reiterate again, this property is on the National Register of Historic Places and it's certainly a City landmark as most people know, so we had recommended earlier that the building be preserved, that there be a restriction in the deed that supports that. Our City Solicitor's office would be the best one to really craft the best type, there are different types of things you can do, so the City Solicitor's office would be asked at some point to craft a good restriction that then this Board could review.

Chairman Thibault recognized the Clerk.

Deputy City Clerk Johnson stated the Clerk just wants to clarify exactly what it is Mr. Borek is asking. Are you asking to go back to Amoskeag Industries to come up with an agreement or are you looking to go out to market the property, an agreement with MDC, I'm not sure what you are asking for at this point.

Mr. Borek stated we are asking for the authorization to negotiate an agreement with Amoskeag Industries regarding the marketing and sales of the building.

Deputy City Clerk Johnson stated so you would be negotiating and then bringing it back to Lands and Buildings for a presentation to the Board of Mayor and Aldermen.

Alderman Smith so moved to authorize staff to negotiate an agreement with Amoskeag Industries relative to marketing and sale of the property with a report back to the Lands and Buildings Committee. Alderman Roy duly seconded the motion. There being none opposed the motion carried.

There being no further business to come before the Committee on motion of Alderman Smith, duly seconded by Alderman Long, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee